

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Michael Robert Peake et al. Examiner: Pathak, Sudhanshu C.

Serial No.: 10/522,566 Art Unit: 2611

Filed: January 28, 2005 Confirmation No.: 8899

For: **PILOT SYMBOLS IN COMMUNICATION SYSTEMS**

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

A statement of reasons for allowance was set forth in the Notice of Allowance mailed on March 6, 2009 in connection with the above-identified application.

While the Applicants agree that the pending claims are allowable for at least the reasons set forth in the Examiner's statements, the Applicants submit that the invention as recited by the claims and as described in the present application is patentable over the art of record for reasons in addition to those listed in the Examiner's statement. For example, Applicants note that the Examiner's statement summarizes the elements of claim 1 and fails to recite language found in the other claims. Thus, the claims contain recitations in addition to those stated by the Examiner that may provide additional bases for patentability over the art of record. Applicants also note that the language of the claims as allowed defines the invention and the language in the Examiner's statement should not be construed as limiting the claims in any manner. Accordingly, the Applicants reserve the right to pursue claims of different scope than those in the present


application. For example, such claims may not necessarily need to include the elements identified in the Examiner's Statement of Reasons for Allowance in the present application.

This statement commenting on the reasons for allowance is timely submitted.

Dated: June 2, 2009

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Respectfully submitted,
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